

**A SUBSTITUTE RESOLUTION**

**06-R-1948**

**BY CITY UTILITIES COMMITTEE**

**AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENCUMBER PHASE THREE (3) FUNDING IN THE AMOUNT OF ELEVEN MILLION EIGHT HUNDRED TWENTY THREE THOUSAND THREE HUNDRED TWENTY EIGHT DOLLARS AND FIFTY CENTS (\$11,823,328.50) FOR THE AGREEMENT WITH ATLANTIC SKANSKA, INC., FC-3005007865, WEST AREA CSO TREATMENT PLANT PROJECT, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER: 2J21 (WATER & WASTEWATER RENEWAL & EXTENSION FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Q38I029094DA (WEST AREA CSO TREATMENT PLANT); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") entered into an agreement for FC-3005007865, West Area CSO Treatment Plant Project ("Project") with Atlantic Skanska, Inc. on September 1, 2005; and

**WHEREAS**, the Project is required by the City's Consent Decree with the Georgia Environmental Protection Division, U.S. Environmental Protection Agency and the Upper Chattahoochee Riverkeeper; and

**WHEREAS**, the City Council adopted 05-R-1341, which authorized the contract and provided for phased funding of the Project, with a total contract amount not to exceed Forty Seven Million Two Hundred Ninety Three Thousand Three Hundred Fourteen Dollars and No Cents (\$47,293,314.00); and

**WHEREAS**, the Department of Watershed Management did appropriate funds for Year 1 of the Project in an amount of Eleven Million Eight Hundred Twenty Three Thousand Three Hundred Twenty Eight Dollars and Fifty Cents (\$11,823,328.50) as adopted by the City Council in 05-R-1341; and

**WHEREAS**, the Department of Watershed Management did appropriate funds for Phase Two (2) in an amount of Twenty Three Million Six Hundred Forty Six thousand Six Hundred Fifty Seven Dollars and No Cents (\$23,646,657.00) as adopted by the Council in 06-R-0502; and

**WHEREAS**, sufficient funds are available for the 2007 calendar year and the cash flow projections for the Phase Three (3) final funding require Eleven Million Eight Hundred Twenty Three Thousand Three Hundred Twenty Eight Dollars and Fifty Cents (\$11,823,328.50).

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA;** that the Mayor or her designee is authorized to encumber Phase Three (3), final funding, for FC-3005007865, West Area CSO Treatment Plant Project with Atlantic Skanska, Inc, for the 2007 calendar year of the agreement in an amount of Eleven Million Eight Hundred Twenty Three Thousand Three Hundred Twenty Eight Dollars and Fifty Cents (\$11,823,328.50).

**BE IT FURTHER RESOLVED,** that the City has adhered to the terms and conditions of the Phase Three (3) Funding requirements for this agreement.

**AND FINALLY BE IT RESOLVED,** that all contracted work will be charged to and paid from Fund, Account and Center Number 2J21 (Water & Wastewater Renewal & Extension Fund) 574001 (Facilities Other Than Buildings) Q38I029094DA (West Area CSO Treatment Plant).